

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

CASE NO: 1:22-CV-00114-CRH

Jesus M. Herrera,)
)
Plaintiff,)
)
vs.)
)
MDU Resources Group d/b/a)
Montana-Dakota Utilities Company,)
)
Defendant.)

**DEFENDANT MDU RESOURCES GROUP
D/B/A MONTANA-DAKOTA UTILITIES COMPANY'S
MOTION FOR SUMMARY JUDGMENT**

Defendant MDU Resources Group d/b/a Montana-Dakota Utilities Company submits this Motion for Summary Judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure and D.N.D. Civ. L. R. 7.1. MDU's moves for summary judgment because the claim asserted by Plaintiff Jesus M. Herrera is time-barred by the applicable statute of limitations, and N.D.C.C. § 28-01-25 does not apply to toll the statute of limitations.

This Motion is made in accordance with Fed.R.Civ.P. 1, to secure "the just, speedy, and inexpensive determination" of this action. This Motion is supported by the attached Memorandum, Declaration, exhibits, and all documents on file with this Court. MDU respectfully requests the Court grant its Motion for Summary Judgment.

Dated this 7th day of August, 2023.

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